



## US District Court Civil Docket

U.S. District - Pennsylvania Middle  
(Williamsport)

**4:13cv668**

**Hill et al v. Ebbert et al**

This case was retrieved from the court on Thursday, October 02, 2014

**Date Filed: 03/13/2013**

**Assigned To: Honorable Matthew W. Brann**

**Referred To: Pro Se Law Clerk JV**

**Nature of**

**suit: Prisoner - Other (550)**

**Cause: Federal Question: Other Civil  
Rights**

**Lead Docket: None**

**Other**

**Docket: None**

**Jurisdiction: U.S. Government Defendant**

**Class Code: OPEN**

**Closed:**

**Statute: 28:1331**

**Jury Demand: None**

**Demand Amount: \$0**

**NOS Description: Prisoner - Other**

### Litigants

Demetrius Hill  
Plaintiff

Nestor Cercet  
Plaintiff

Anthony Washington  
Plaintiff

### Attorneys

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68133-053  
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Plaintiff

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Marvin Castellano Eduardo  
Plaintiff

Roscoe L Alford  
Plaintiff

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John F Legrand  
Plaintiff

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Warden David Ebbert  
Defendant

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John Does  
4/5/13 incident  
Defendant

Co Heenan  
Defendant

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CO  
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Co Hayden  
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Co John Does

4/5/13 assault  
Defendant

Lindsey  
Unit Manager  
Defendant

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Sample  
UM  
Defendant

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Date	#	Proceeding Text	Source
03/13/2013	1	COMPLAINT against All Defendants, filed by Demetrius Hill. (Attachments: # 1 Affidavit John F. Legrand, # 2 Affidavit Roscoe L. Alford)(lh) (Entered: 03/13/2013)	
03/13/2013	2	MOTION for Preliminary Injunction by Demetrius Hill.(lh) (Entered: 03/13/2013)	
03/13/2013	3	STANDING PRACTICE ORDER sent to all Plaintiffs. (lh) (Entered: 03/13/2013)	
03/19/2013	4	REQUEST dtd 3/17/13 for copy of Complaint and Doc #3 by Nestor Cercet. (ao) (Entered: 03/19/2013)	
03/20/2013	5	30 DAY ADMINISTRATIVE ORDER directing all of the prisoners to pay the filing fee or file Application to Proceed IFP within 30 days or case will be dismissed.Signed by L. Potoeski on 03/20/13. (lp) (Entered: 03/20/2013)	
03/20/2013	6	REQUEST for a copy of complaint by Anthony Washington. (lh) (Entered: 03/20/2013)	
03/21/2013	7	Letter from L. Potoeski in response to Plaintiff Cercet's request for copies. (lp) (Entered: 03/21/2013)	
03/26/2013	8	Mail Returned (Doc #5) as Undeliverable. Mail sent to Martin Castellano Eduardo (ao) (Entered: 03/26/2013)	
03/28/2013	9	PRISONER AUTHORIZATION by Anthony Washington allowing prison to submit copy of prisoner's trust fund account to the court, and approving the entire filing fee to be deducted from prisoner inmate account.. (lh) (Entered: 03/28/2013)	
03/28/2013	10	MOTION for Leave to Proceed in forma pauperis by Anthony Washington. (lh) (Entered: 03/28/2013)	

- 03/28/2013 11 Mail Returned as Undeliverable (docket sheet). Mail sent to Anthony Washington (lh) (Entered: 03/28/2013)
- 03/29/2013 12 ADMINISTRATIVE ORDER sent to Prison Superintendent/Warden (lh) (Entered: 03/29/2013)
- 04/04/2013 13 AMENDED COMPLAINT against Burkett, Burns, John Does, John Does, Durkin, David Ebbert, Gugliatti, Hayden, Heenan, Keyazal, Kubicki, Lindsey, Mailrom Staff, Newcomb, A.W. Oddo, Rosencrance, Sample, Schwartz, Sudol, Tamano, Trently, filed by Demetrius Hill.(lh) (Entered: 04/04/2013)
- 04/04/2013 14 MOTION for Leave to Proceed in forma pauperis by Roscoe L Alford.(lh) (Entered: 04/04/2013)
- 04/04/2013 15 PRISONER AUTHORIZATION by Roscoe L Alford allowing prison to submit copy of prisoner's trust fund account to the court, and approving the entire filing fee to be deducted from prisoner inmate account.. (lh) (Entered: 04/04/2013)
- 04/04/2013 16 MOTION for Leave to Proceed in forma pauperis by Martin Castellano Eduardo.(lh) (Entered: 04/04/2013)
- 04/04/2013 17 PRISONER AUTHORIZATION by Martin Castellano Eduardo allowing prison to submit copy of prisoner's trust fund account to the court, and approving the entire filing fee to be deducted from prisoner inmate account.. (lh) (Entered: 04/04/2013)
- 04/04/2013 18 MOTION for Leave to Proceed in forma pauperis by Demetrius Hill.(lh) (Entered: 04/04/2013)
- 04/04/2013 19 PRISONER AUTHORIZATION by Demetrius Hill allowing prison to submit copy of prisoner's trust fund account to the court, and approving the entire filing fee to be deducted from prisoner inmate account.. (lh) (Entered: 04/04/2013)
- 04/04/2013 20 MOTION for Leave to Proceed in forma pauperis by Kevin Lawson.(lh) (Entered: 04/04/2013)
- 04/04/2013 21 PRISONER AUTHORIZATION by Kevin Lawson allowing prison to submit copy of prisoner's trust fund account to the court, and approving the entire filing fee to be deducted from prisoner inmate account.. (lh) (Entered: 04/04/2013)
- 04/04/2013 22 MOTION for Leave to Proceed in forma pauperis by Nestor Cercet.(lh) (Entered: 04/04/2013)
- 04/04/2013 23 PRISONER AUTHORIZATION by Nestor Cercet allowing prison to submit copy of prisoner's trust fund account to the court, and approving the entire filing fee to be deducted from prisoner inmate account.. (lh) (Entered: 04/04/2013)
- 04/04/2013 24 ADMINISTRATIVE ORDER sent to Prison Superintendent/Warden (lh) (Entered: 04/04/2013)
- 04/04/2013 25 ADMINISTRATIVE ORDER sent to Prison Superintendent/Warden (lh) (Entered: 04/04/2013)
- 04/04/2013 26 ADMINISTRATIVE ORDER sent to Prison Superintendent/Warden (lh) (Entered: 04/04/2013)
- 04/04/2013 27 ADMINISTRATIVE ORDER sent to Prison Superintendent/Warden (lh) (Entered: 04/04/2013)
- 04/04/2013 28 ADMINISTRATIVE ORDER sent to Prison Superintendent/Warden (lh) (Entered: 04/04/2013)
- 04/10/2013 29 PRISONER AUTHORIZATION by John F Legrand allowing prison to submit copy of prisoner's trust fund account to the court, and approving the entire filing fee to be deducted from prisoner inmate account.. (lh) (Entered: 04/10/2013)

- 04/10/2013 30 MOTION for Leave to Proceed in forma pauperis by John F Legrand.(lh) (Entered: 04/10/2013)
- 04/10/2013 31 ADMINISTRATIVE ORDER sent to Prison Superintendent/Warden (lh) (Entered: 04/10/2013)
- 04/10/2013 32 Letter from Demetrius Hill re: mail tampering. (lh) (Entered: 04/10/2013)
- 04/15/2013 33 RECEIPT LETTER \$ 21.10, receipt number 333029125 Anthony Washington partial FF 4/15/13 (ao) (Entered: 04/15/2013)
- 04/17/2013 34 Letter from Demetrius Hill entitled "Writ of Mandamus" (ts) (Entered: 04/17/2013)
- 04/17/2013 35 Mail Returned as Undeliverable. Doc 31 Mail sent to Mark Castellano Eduardo (ts) (Entered: 04/17/2013)
- 04/18/2013 36 RECEIPT LETTER \$ 34.40, receipt number 333029173 Kevin Lawson partial filing fee 4/18/13 (lh) (Entered: 04/18/2013)
- 04/18/2013 37 RECEIPT LETTER \$ 109.49, receipt number 333029174 Nestor Cercet partial filing fee 4/18/13 (lh) (Entered: 04/18/2013)
- 04/18/2013 38 RECEIPT LETTER \$ 2.45, receipt number 333029175 Roscoe L. Alford partial filing fee 4/18/13 (lh) (Entered: 04/18/2013)
- 04/18/2013 39 RECEIPT LETTER \$ 21.38, receipt number 333029176 Martin Castellano Eduardo partial filing fee 4/18/13 (lh) (Entered: 04/18/2013)
- 04/22/2013 40 Mail Returned (Doc #26) as Undeliverable. Mail sent to Demetrius Hill (ao) (Entered: 04/22/2013)
- 04/25/2013 41 Letter from Martin Castellano re: prisoner id number. (lh) (Entered: 04/25/2013)
- 04/25/2013 DOCKET ANNOTATION: Updated prisoner id number for Martin Castellano. (lh) (Entered: 04/25/2013)
- 04/25/2013 42 Letter from Demetrius Hill re: mail tampering. (lh) (Entered: 04/25/2013)
- 05/01/2013 43 Mail Returned as Undeliverable (Doc. 26). Mail sent to Martin Castellano Eduardo (lh) (Entered: 05/01/2013)
- 05/01/2013 44 REQUEST for a copy of the second Complaint by Anthony Washington. (lh) (Entered: 05/01/2013)
- 05/02/2013 45 Mail Returned as Undeliverable (Doc. 25). Mail sent to Martin Castellano Eduardo (lh) (Entered: 05/02/2013)
- 05/06/2013 46 Letter from L. Potoeski in response to Plaintiff Washington's request for a copy of second complaint. (lp) (Entered: 05/06/2013)
- 05/10/2013 47 RECEIPT LETTER \$ 20.00, receipt number 333029701 Nester Cercet partial FF 5/10/13 (ao) (Entered: 05/10/2013)
- 05/16/2013 48 Letter from Anthony Washington requesting a copy of the comp[aint and copy of rules and procedures. (lh) (Entered: 05/16/2013)
- 05/20/2013 49 Letter from L. Potoeski in response to plaintiff's letter to the court. (lp) (Entered: 05/20/2013)
- 06/04/2013 50 NOTICE of Change of Address dtd 5/12/13 by Demetrius Hill to USP-Beaumont. (ao) (Entered: 06/04/2013)
- 06/06/2013 51 ORDER: (1) Plaintiffs' request for class certification is DENIED.(2) Plaintiffs' individual motions to proceed in forma pauperis are construed as motions to proceed without full prepayment of fees and costs and the motions are GRANTED. (3) The Plaintiffs shall submit a brief in support of their motion for preliminary injunctive relief within 14 days of the date of this Order or said motion will be deemed withdrawn pursuant to M.D. Pa. Local Rule 7.5. (4) The United States Marshal is directed to SERVE the motion for preliminary injunction (Doc. 2) and Plaintiffs Amended Complaint (Doc. 13) and on the Defendants named therein. Signed by

Honorable Matthew W. Brann on 6/6/13. (km) (Main Document 51 replaced on 6/6/2013) (km). Modified on 6/6/2013 (km). Modified on 6/6/2013 (km). (Entered: 06/06/2013)

- 06/06/2013 52 Summons Issued as to All Defendants and provided TO U.S. MARSHAL for service on Defendant(s)in the manner prescribed by Rule 4 of the Federal Rules of Civil Procedure. (km) (Entered: 06/06/2013)
- 06/06/2013 Motions terminated: 30 MOTION for Leave to Proceed in forma pauperis filed by John F Legrand, 14 MOTION for Leave to Proceed in forma pauperis filed by Roscoe L Alford, 22 MOTION for Leave to Proceed in forma pauperis filed by Nestor Cercet, 16 MOTION for Leave to Proceed in forma pauperis filed by Marvin Castellano Eduardo, 18 MOTION for Leave to Proceed in forma pauperis filed by Demetrius Hill, 20 MOTION for Leave to Proceed in forma pauperis filed by Kevin Lawson, 10 MOTION for Leave to Proceed in forma pauperis filed by Anthony Washington. (km) (Entered: 06/06/2013)
- 06/11/2013 53 RECEIPT LETTER \$ 5.00, receipt number 333030415 Kevin Lawson partial FF 6/11/13 (ao) (Entered: 06/11/2013)
- 06/11/2013 54 RECEIPT LETTER \$ 80.00, receipt number 333030416 Nester Cercet partial FF 6/11/13 (ao) (Entered: 06/11/2013)
- 06/14/2013 55 RECEIPT LETTER \$ 8.00, receipt number 333030557 Roscoe Alford partial filing fee 6/14/13 (lh) (Entered: 06/14/2013)
- 06/21/2013 56 MOTION for Extension of Time to File Brief to 2 MOTION for Preliminary Injunction filed by Anthony Washington.(lh) (Entered: 06/21/2013)
- 06/28/2013 57 ORDER granting 56 Motion for Extension of Time to File Response/Reply re 2 MOTION for Preliminary Injunction; Brief in Support due by 7/15/2013. Signed by Honorable Matthew W. Brann on 6/28/13 (lg) (Entered: 06/28/2013)
- 07/12/2013 58 U.S. MARSHAL - 285 FORM of Summons & Complaint on Attorney General on 7/12/13 (lh) (Entered: 07/12/2013)
- 07/15/2013 59 U.S. MARSHAL - 285 FORM of Summons & Complaint served on US Attorney on 6/17/13 by personal service (ao) (Entered: 07/15/2013)
- 07/30/2013 60 U.S. MARSHAL - 285 FORM of Summons & Complaint on US Attorney on 6/17/13 (lh) (Entered: 07/30/2013)
- 08/16/2013 61 MOTION for Extension of Time to File Answer re 13 Amended Complaint, by Burkett, Burns, Durkin, David Ebbert, Gugliatti, Hayden, Heenan, Keyazal, Kubicki, Lindsey, Newcomb, A.W. Oddo, Rosencrance, Sample, Schwartz, Sudol, Tamano, Trently. (Attachments: # 1 Proposed Order) (Butler, Michael) (Entered: 08/16/2013)
- 08/26/2013 62 RECEIPT LETTER \$ 2.12, receipt number 333032082 Anthony Washington partial FF 8/26/13 (ao) (Entered: 08/27/2013)
- 09/05/2013 63 CERTIFICATE OF SERVICE by Burkett, Burns, Durkin, David Ebbert, Gugliatti, Hayden, Heenan, Keyazal, Kubicki, Lindsey, Newcomb, A.W. Oddo, Rosencrance, Sample, Schwartz, Sudol, Tamano, Trently re 61 MOTION for Extension of Time to File Answer re 13 Amended Complaint, Amended (Butler, Michael) (Entered: 09/05/2013)
- 09/17/2013 64 RECEIPT LETTER \$ 1.05, receipt number 333032734 Nester Cercet partial filing fee 9/17/13 (lh) (Entered: 09/17/2013)
- 09/17/2013 65 RECEIPT LETTER \$ 21.59, receipt number 333032732 Anthony Washington partial filing fee 9/17/13 (lh) (Entered: 09/17/2013)
- 09/17/2013 66 RECEIPT LETTER \$ 13.00, receipt number 333032727 Kevin Lawson partial filing fee 9/17/13 (lh) (Entered: 09/17/2013)
- 10/02/2013 67 ORDER: GRANTING the 61 motion for an enlargement of time filed on behalf of all defendants; defendants may file a response to the 13

- Amended Complaint, on or before 10/22/2013. Signed by Honorable Matthew W. Brann on 10/2/13 (km) (Entered: 10/02/2013)
- 10/11/2013 68 RECEIPT LETTER \$ 1.05, receipt number 333033278 Nestor Cercet partial filing fee 10/11/13 (lh) (Entered: 10/16/2013)
- 10/11/2013 69 RECEIPT LETTER \$ 12.00, receipt number 333033494 Martin Castellano Eduardo partial filing fee 10/11/13 (lh) (Entered: 10/16/2013)
- 10/22/2013 70 MOTION for Extension of Time to File Answer re 13 Amended Complaint, by Burkett. (Attachments: # 1 Proposed Order)(Butler, Michael) (Entered: 10/22/2013)
- 10/28/2013 71 ORDER: Granting 70 Motion for Extension of Time; defendants may file a response to the 13 Amended Complaint due on or before 12/13/2013.Signed by Honorable Matthew W. Brann on 10/28/13. (km) (Entered: 10/28/2013)
- 11/12/2013 72 RECEIPT LETTER \$ 74.65, receipt number 333034050 Nester Cercet partial filing fee 11/12/13 (lh) (Entered: 11/13/2013)
- 11/15/2013 73 ORDER: Plaintiffs' 2 Motion for Preliminary Injunctive Relief is DEEMED WITHDRAWN. (See Order for details.)Signed by Honorable Matthew W. Brann on 11/15/13. (km) (Entered: 11/15/2013)
- 11/25/2013 74 RECEIPT LETTER \$ 12.39, receipt number 333034338 Martin Castellano Eduardo partial FF 11/25/13 (ao) (Entered: 11/25/2013)
- 12/10/2013 75 RECEIPT LETTER \$ 5.00, receipt number 333034771 Kevin Lawson partial FF 12/10/13 (ao) (Entered: 12/10/2013)
- 12/10/2013 76 RECEIPT LETTER \$ 20.05, receipt number 333034769 Anthony Washington partial FF 12/10/13 (ao) (Entered: 12/10/2013)
- 12/12/2013 77 RECEIPT LETTER \$ 17.60, receipt number 333034856 Martin Cstellano Eduardo Partial Filing Fee 12/12/13 (ts) (Entered: 12/12/2013)
- 12/13/2013 78 Third MOTION for Extension of Time to File Answer re 13 Amended Complaint, by Burkett. (Attachments: # 1 Proposed Order)(Butler, Michael) (Entered: 12/13/2013)
- 12/16/2013 79 ORDER: The motion for a third enlargement of time filed on behalf of the individual Defendants (Doc. 78) is GRANTED; Defendants may file a response to the Amended Complaint (Doc 13) on or before 2/11/2014.Signed by Honorable Matthew W. Brann on 12/16/13 (km) (Entered: 12/16/2013)
- 01/13/2014 80 RECEIPT LETTER \$ 8.00, receipt number 333035371 Kevin Lawson partial FF 1/13/14 (ao) (Entered: 01/14/2014)
- 01/13/2014 81 RECEIPT LETTER \$ 26.80, receipt number 333035370 Anthony Washington partial FF 1/13/14 (ao) (Entered: 01/14/2014)
- 02/11/2014 Receipt of payment from ANTHONY WASHINGTON in the amount of \$5.99 for PLRA CIVIL FILING FEE. Transaction posted on 2/10/2014. Receipt number 333035880 processed by tscott. (jjs, ) (Entered: 02/11/2014)
- 02/11/2014 Receipt of payment from KEVIN LAWSON in the amount of \$5.00 for PLRA CIVIL FILING FEE. Transaction posted on 2/10/2014. Receipt number 333035891 processed by tscott. (jjs, ) (Entered: 02/11/2014)
- 02/11/2014 82 MOTION to Remove Plaintiff Hill's In Forma Pauperis Status by Burkett, Burns, Durkin, David Ebbert, Gugliatti, Hayden, Heenan, Keyazal, Kubicki, Lindsey, Newcomb, A.W. Oddo, Rosencrance, Sample, Schwartz, Sudol, Tamano, Trently. (Attachments: # 1 Proposed Order)(Butler, Michael) (Entered: 02/11/2014)
- 02/11/2014 83 BRIEF IN SUPPORT re 82 MOTION to Remove Plaintiff Hill's In Forma Pauperis Status filed by Burkett, Burns, Durkin, David Ebbert, Gugliatti, Hayden, Heenan, Keyazal, Kubicki, Lindsey, Newcomb, A.W. Oddo, Rosencrance, Sample, Schwartz, Sudol, Tamano, Trently. (Attachments: #

		1 Exhibit(s))(Butler, Michael) (Entered: 02/11/2014)
02/19/2014	84	RECEIPT LETTER \$ 1.83, receipt number 333036126 John Legrand Partial filing fee 2/18/14 (ga) (Entered: 02/19/2014)
03/11/2014	85	MOTION for Extension of Time to File Brief to 82 MOTION to Remove Plaintiff Hill's In Forma Pauperis Status filed by Demetrius Hill.(lg) (Entered: 03/11/2014)
03/12/2014		Receipt of payment from ANTHONY WASHINGTON in the amount of \$72.40 for PLRA CIVIL FILING FEE. Transaction posted on 3/11/2014. Receipt number 333036555 processed by tscott. (jjs, ) (Entered: 03/12/2014)
03/12/2014		Receipt of payment from KEVIN LAWSON in the amount of \$15.00 for PLRA CIVIL FILING FEE. Transaction posted on 3/11/2014. Receipt number 333036556 processed by tscott. (jjs, ) (Entered: 03/12/2014)
03/20/2014	86	ORDER: GRANTING Plaintiff's 85 Motion for Extension of Time; Plaintiff's response to Defendants' 82 Motion to Remove Plaintiff Hill's In Forma Pauperis Status due by 4/30/2014. Signed by Honorable Matthew W. Brann on 3/20/14. (km) (Entered: 03/20/2014)
04/14/2014		Receipt of payment from ANTHONY WASHINGTON in the amount of \$7.80 for PLRA CIVIL FILING FEE. Transaction posted on 4/11/2014. Receipt number 333037308 processed by gangeli. (jjs, ) (Entered: 04/14/2014)
04/14/2014		Receipt of payment from JOHN LEGRAN in the amount of \$17.35 for PLRA CIVIL FILING FEE. Transaction posted on 4/11/2014. Receipt number 333037309 processed by gangeli. (jjs, )(lh) (Entered: 04/14/2014)
04/28/2014	87	MOTION for Extension of Time to File Brief to 82 MOTION to Remove Plaintiff Hill's In Forma Pauperis Status filed by Demetrius Hill.(lg) (Entered: 04/28/2014)
04/29/2014	88	ORDER: Plaintiff Hill's motion for an enlargement of time 87 is GRANTED. Hill may file a response to Defendants' motion to remove his in forma pauperis status 82 on or before 6/6/2014.Signed by Honorable Matthew W. Brann on 4/29/14 (km) (Entered: 04/29/2014)
05/09/2014		Receipt of payment from JOHN LEGRAN in the amount of \$18.10 for PLRA CIVIL FILING FEE. Transaction posted on 5/8/2014. Receipt number 333037761 processed by gangeli. (jjs, ) (Entered: 05/09/2014)
05/14/2014		Receipt of payment from ANTHONY WASHINGTON in the amount of \$5.30 for PLRA CIVIL FILING FEE. Transaction posted on 5/13/2014. Receipt number 333037888 processed by tscott. (jjs, ) (Entered: 05/14/2014)
05/21/2014		Receipt of payment from KEVIN LAWSON in the amount of \$7.00 for PLRA CIVIL FILING FEE. Transaction posted on 5/20/2014. Receipt number 333037970 processed by tscott. (jjs, ) (Entered: 05/21/2014)
06/10/2014	89	BRIEF IN OPPOSITION re 82 MOTION to Remove Plaintiff Hill's In Forma Pauperis Status filed by Demetrius Hill.(lg) (Entered: 06/11/2014)
06/18/2014		Receipt of payment from DEMETRIUS HILL in the amount of \$51.21 for PLRA CIVIL FILING FEE. Transaction posted on 6/17/2014. Receipt number 333038519 processed by gangeli. (jjs, ) (Entered: 06/18/2014)
06/26/2014	90	REPLY BRIEF re 82 MOTION to Remove Plaintiff Hill's In Forma Pauperis Status filed by Burkett, Burns, Durkin, David Ebbert, Gugliatti, Hayden, Heenan, Keyazal, Kubicki, Lindsey, Newcomb, A.W. Oddo, Rosencrance, Sample, Schwartz, Sudol, Tamano, Trently. (Attachments: # 1 Unpublished Opinion(s))(Butler, Michael) (Entered: 06/26/2014)
07/24/2014		Receipt of payment from KEVIN LAWSON in the amount of \$7.00 for PLRA CIVIL FILING FEE. Transaction posted on 7/23/2014. Receipt number 333039141 processed by gangeli. (jjs, ) (Entered: 07/24/2014)

08/12/2014 Receipt of payment from JOHN LEGRAND in the amount of \$46.92 for PLRA CIVIL FILING FEE. Transaction posted on 8/11/2014. Receipt number 333039491 processed by tscott. (jjs, ) (Entered: 08/12/2014)

08/13/2014 Receipt of payment from KEVIN LAWSON in the amount of \$5.00 for PLRA CIVIL FILING FEE. Transaction posted on 8/12/2014. Receipt number 333039517 processed by tscott. (jjs, ) (Entered: 08/13/2014)

08/29/2014 91 ORDER: DENYING Defendants' Motion to remove Plaintiff Hill's in forma pauperis status 82 .Signed by Honorable Matthew W. Brann on 8/29/14. (km) (Entered: 08/29/2014)

09/12/2014 92 MOTION to Dismiss Partial, MOTION for Partial Summary Judgment by Burkett, Burns, Durkin, David Ebbert, Gugliatti, Hayden, Heenan, Keyazal, Kubicki, Lindsey, Newcomb, A.W. Oddo, Rosencrance, Sample, Schwartz, Sudol, Tamano, Trently. (Attachments: # 1 Proposed Order)(Butler, Michael) (Entered: 09/12/2014)

09/16/2014 Receipt of payment from ANTHONY WASHINGTON in the amount of \$3.25 for PLRA CIVIL FILING FEE. Transaction posted on 9/15/2014. Receipt number 333040102 processed by tscott. (jjs, ) (Entered: 09/16/2014)

09/19/2014 Receipt of payment from KEVIN LAWSON in the amount of \$8.00 for PLRA CIVIL FILING FEE. Transaction posted on 9/18/2014. Receipt number 333040179 processed by rmiller. (jjs, ) (Entered: 09/19/2014)

09/25/2014 93 MOTION for Extension of Time to File Brief to 92 MOTION to Dismiss Partial MOTION for Partial Summary Judgment filed by Burkett, Burns, Durkin, David Ebbert, Gugliatti, Hayden, Heenan, Keyazal, Kubicki, Lindsey, Mailrom Staff, Newcomb, A.W. Oddo, Rosencrance, Sample, Schwartz, Sudol, Tamano, Trently. (Attachments: # 1 Proposed Order) (Thiel, G.) (Entered: 09/25/2014)

09/25/2014 94 CERTIFICATE OF SERVICE by Burkett, Burns, Durkin, David Ebbert, Gugliatti, Hayden, Heenan, Keyazal, Kubicki, Lindsey, Newcomb, A.W. Oddo, Rosencrance, Sample, Schwartz, Sudol, Tamano, Trently re 92 MOTION to Dismiss Partial MOTION for Partial Summary Judgment (Thiel, G.) (Entered: 09/25/2014)

09/25/2014 DOCKET ANNOTATION: Roscoe L. Alford address updated (pursuant to amended certificate of service filed by dfts) (lg) (Entered: 09/25/2014)

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**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>DEMETRIUS HILL, et al.,</b>	:	<b>No. 4:13-CV-0668</b>
Plaintiffs	:	
	:	
v.	:	<b>(Brann, J.)</b>
	:	
<b>WARDEN DAVID EBBERT, et al.,</b>	:	
Defendants	:	<b>Filed Electronically</b>

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion as to be competent to serve papers. That on October 10, 2014, she served a copy of the attached

**EXHIBITS IN SUPPORT OF DEFENDANTS'  
PARTIAL MOTION TO DISMISS  
AND MOTION FOR SUMMARY JUDGMENT**

by placing said copy in a postpaid envelope addressed to the persons hereinafter named, at the places and addresses stated below, which are the last known addresses, and by depositing said envelopes and contents in the United States Mail at Williamsport, Pennsylvania.

Demetrius Hill  
Reg. No. 68133-053  
U.S. Penitentiary  
P.O. Box 1000  
Lewisburg, PA 17837

Nestor Cercet (not served, address unknown)

Anthony Washington  
Reg. No. 41756-050  
U.S.P. Canaan  
P.O. Box 300  
Waymart, PA 18472

Kevin Lawson  
Reg. No. 41004-037  
U.S.P. Canaan  
P.O. Box 300  
Waymart, PA 18472

Roscoe L. Alford  
Reg. No. 55931-060  
FCI Gilmer  
P.O. Box 6000  
Glenville, WV 26351

John F. Legrand  
Reg. No. 47009-037  
U.S.P. Coleman I  
P.O. Box 1033  
Coleman, FL 33521

Marvin Castellano Eduardo (not served, address unknown)

Eric Gay (not served, address unknown)

s/ Michele E. Lincalis  
Michele E. Lincalis  
Supv. Paralegal Specialist